REMARKS

Claims 1-36 are pending and stand rejected. Claims 1, 4, 7, 14, 19, 22-26, 35, and 36 are amended. Claims 1-36 are pending upon entry of this amendment.

Please reconsider the present application in view of the above amendments and following remarks. Applicants thank the Examiner for carefully considering the present application.

Response to Claim Objections

In paragraph 1 of the Office Action, the Examiner objected to claims 1, 4, 19, 22, 23, 24, and 36 for an alleged informality in the recitation of "the term" and objected to claim 26 for an alleged informality in the recitation of "system resources." Applicants have amended the claims as the Examiner recommended and request withdrawal of the claim objections.

Response to Rejection Under 35 USC § 112

In paragraphs 2-5 of the Office Action, the Examiner rejected claims 7 and 14 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Specifically, the Examiner noted that the claim limitation of "sending the event to the second device when a resource level of the system resources is above a desired level" recited in claim 7 and the claim limitation of "the event is not accepted by the second device when the system resources are below a threshold value" recited in claim 14 are not disclosed in the specification.

Claim 7 is amended to now recite "receiving the event by the second device when a resource level of the system resources is above a desired level." Claim 14 is amended to now recite "the event is not accepted by the second device when the system resources are below the desired level." Support for these amended claim features can be found in paragraph [0049] of the specification on file.

In paragraphs 6-10 of the Office Action, the Examiner rejected claim 35 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner alleged that the terms "associating," "second client," and "providing" are indefinite. Applicants have amended claim 35 to replace "associating" with "assigning," replace "second client" with "client device," and replace "providing" with "updating." Applicants respectfully submit that claim 35 as amended satisfies the statutory requirements set forth in 35 U.S.C. § 112, second paragraph.

Accordingly, withdrawal of the § 112 rejections is respectfully requested.

Response to Rejection Under 35 USC 102(b) in View of Culliss

In paragraphs 11-26 of the Office Action, the Examiner rejected claims 1-6, 15-24, and 31-36 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,006,222 to Culliss ("Culliss") in view of U.S. Patent Application Publication Serial No. 2005/0033803 to Vleet et al. ("Vleet"), and further in view of U.S. Patent Application Publication Serial No. 2004/0143569 to Gross et al. ("Gross"). In paragraphs 27-37 of the Office Action, the Examiner rejected claims 7-14 and 25-30 under 35 U.S.C. 103(a) as being unpatentable over Culliss in view of U.S. Patent Application Publication Serial No. 2002/0049608 to Hartsell et al. ("Hartsell"). This discussion combines these rejections in order to simplify the issues.

Independent claim 1 as amended recites:

> A method comprising:
>
> receiving in a second device an event from a first device, the event being captured in the first device and associated with a term of an article, the event being indexed and associated with the term of the article in a first index of the first device; and
>
> **indexing the event in a second index of the second device in a manner consistent with the indexing of the event in the first index such that the event is associated with the term of the article in the second index.**
>
> (emphasis added)

As amended, the independent claim beneficially recites a method that receives in a second device an event from a first device. The event is captured in the first device and is associated with a term of an article. The event is indexed and associated with the term of the article in a first index of the first device. The method indexes the event in a second

index of the second device in a manner consistent with the indexing of the event in the first index such that the event is associated with the term of the article in the second index. Therefore, users are not limited to conducting searches in the device where the event is captured.

The cited references, Culliss, Vleet, Gross, and Hartsell, either alone or in combination, fail to disclose at least the claim feature of "indexing the event in a second index of the second device in a manner consistent with the indexing of the event in the first index such that the event is associated with the term of the article in the second index." Culliss describes a method of sorting search results based on user activities. See Culliss, Abstract. The Culliss system monitors user search activity (e.g., selecting an article from a search result), and updates key term scores based on the user search activity (e.g., altering key term scores for the selected article). See Culliss, col. 4, line 20 through col. 5, line 18 and FIG. 1. Therefore, in Culliss, user search activities affect existing article indexes. See Culliss, col. 4, col. 4, lines 52-56. As suggested in col. 3, lines 56-60, Culliss maintains a single index. See Culliss, col. 3, lines 56-60 ("The present invention maintains an index of key words ..."). Therefore, Culliss does not teach or suggest indexing a captured event in a second index in a manner consistent with the indexing of the event in a first index, as is claimed in independent claim 1.

Vleet similarly fails to disclose the above-cited claim feature. Vleet describes a website system includes an event history server system that stores event data for user events that occur during browsing sessions and makes such data available to other applications and services in real time. Examples of the user events include mouse clicks and mouse-over events. See Vleet Abstract. Vleet does not teach or suggest indexing a same event in two separate indexes in a consistent manner.

The Examiner cited paragraphs [0025], [0026], and [0078] of Vleet for teaching of "indexing the event in a second index of the second device such that the event is associated with the term in the second index" as originally recited in independent claim 1. Paragraphs [0025] and [0026] of Vleet teach that a web server machine or a user computer sends event data of online user events to an event history server for indexing and storage. Paragraph [0078] of Vleet teaches that a browser-based event reporting component on a user computer reports event data to the event history server. Vleet does

not teach or suggest indexing an event in a second index in a manner consistent with the indexing of the event in a first index.

Gross similarly fails to disclose the above-cited claim feature. Gross describes a system that provides for incremental or reactive searching for search targets such as files, emails, and web pages. See Gross, Summary at paragraph [0010]. The Gross system generates multiple indexes corresponding to search target types, such as an email index, a file index, and a web page index. See Gross, Summary at paragraphs [0011] and [0013]. The multiple indexes in Gross are created for different document types (see paragraph [0078]) and not for events. In addition, Gross is totally silent as to indexing a same event in two separate indexes in a consistent manner.

The Examiner cited paragraphs [0069] and [0041] of Gross for teaching of "indexing the event in a second index of the second device such that the event is associated with the term in the second index" as originally recited in independent claim 1. Paragraph [0069] of Gross teaches that a user may request a web page to be stored and indexed, and submit a query for matching web pages. Paragraph [0041] of Gross teaches that an index engine of Gross can utilize indexing algorithms to create an index. Neither of these paragraphs teaches or suggests indexing an event in a second index in a manner consistent with the indexing of the event in a first index.

Hartsell similarly fails to disclose the above-cited claim features. Hartsell discloses methods and systems for providing a service to deliver content or services in a network environment. See Hartsell, Abstract. Hartsell is unrelated to indexing events and fails to disclose the above-cited claim feature.

Likewise, the combination of Culliss, Vleet, Gross, and Hartsell also fails to disclose or suggest the claimed feature cited above. As discussed above, the above claimed feature is not disclosed in any reference. However, even if the cited references were combined, at best the combination provides a system and method for updating an article index based on user selection for sorting subsequent search results, indexing online user events for other applications and services, indexing documents based on target types, and delivering related content or services in a network environment. This is not a configuration in which an event is indexed in a second index in a manner consistent with the indexing of the event in a first index.

In view of the above, Culliss, Vleet, Gross, and Hartsell, whether considered individually or in combination, fail to disclose each and every limitation recited in independent claim 1. Thus, independent claim 1 is patentable over the cited references. Independent claims 19, 35, and 36 and the dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of the § 103 rejections is respectfully requested.

CONCLUSION

In sum, Applicants respectfully submit that claims 1-36, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

Should the Examiner wish to discuss the above amendments or if the Examiner believes that for any reason direct contact with Applicants' representative would help to advance the prosecution of this case to finality, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,
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